

Exhibit 1

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Lordstown Motors Corp., *et al.*,²

Debtor.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

**SECOND STIPULATION BETWEEN DEBTORS AND
U.S. SECURITIES AND EXCHANGE COMMISSION TO
EXTEND THE DEADLINE FOR FILING PROOFS OF CLAIM**

Lordstown Motors Corp. and its affiliated debtors and debtors in possession in the above-captioned chapter 11 cases (together, the “Debtors”), U.S. Securities and Exchange Commission (the “SEC”), the official committee of unsecured creditors appointed in the chapter 11 cases (the “UCC”), and the official committee of equity security holders appointed in the chapter 11 cases (the “EC”) and, together with the Debtors, the SEC, and the UCC, the “Parties”), hereby enter into this stipulation and agreed order (the “Stipulation”) and stipulate and agree as follows:

RECITALS

WHEREAS, on June 27, 2023 (the “Petition Date”), the Debtors filed voluntary petitions in this Court commencing these cases (the “Chapter 11 Cases”), which are being jointly administered for procedural purposes only.

WHEREAS, on August 24, 2023, the Court entered the *Order (A) Establishing Bar Dates and Related Procedures for Filing Proofs of Claim, Including Claims Arising Under Section 503(b)(9) of the Bankruptcy Code, (B) Approving the Form, Manner, and Procedures of Notice*

² The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

Thereof, and (C) Granting Related Relief [D.I. 319] (the “Bar Date Order”); The Bar Date Order established, among other things: (a) October 10, 2023 at 5:00 p.m. (prevailing Eastern Time) as the deadline to file proofs of claim in the Chapter 11 Cases for persons or entities (except governmental units (as such term is defined in section 101(27) of the Bankruptcy Code)); (b) December 26, 2023 at 5:00 p.m. (prevailing Eastern Time) (“Governmental Bar Date”) as the deadline for governmental units to file proofs of claim in the Chapter 11 Cases.

WHEREAS, the SEC is a governmental unit within the meaning of the Bankruptcy Code. 11 U.S.C. § 101(27).

WHEREAS, on October 30, 2023, the Debtors filed their (i) *Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors* [D.I. 635] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time); and (ii) *the Disclosure Statement Pursuant to 11 U.S.C. § 1125 with Respect to Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors* [D.I. 637] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time).

WHEREAS, the SEC asserts that it has potential prepetition claims against the Debtors (collectively, “Prepetition Claims”).

WHEREAS, on December 22, 2023 the Parties entered into that certain *Stipulation Between Debtors and U.S. Securities and Exchange Commission to Extend the Deadline for Filing Proofs of Claim* (the “First Extension Stipulation”), agreeing to extend the SEC’s Governmental Bar Date through and including December 29, 2023 at 5:00 p.m. (prevailing Eastern Time), solely to allow the SEC to file proofs of claim with respect to its alleged Prepetition Claims; and, on December 27, 2023, the Court entered an order approving the First Extension Stipulation.

WHEREAS, the Debtors and the SEC remain in discussions to resolve certain disputes, including disputes related to the Prepetition Claims, and desire to enter into this Stipulation to further extend the Governmental Bar Date with respect to SEC's Prepetition Claims in order to allow the Parties additional time to continue discussions in a productive manner.

WHEREAS, the Debtors and the SEC have discussed the further extension of the Governmental Bar Date contemplated by this stipulation with the UCC and EC and each has consented to such extension.

WHEREAS, solely for the purpose of extending the Governmental Bar Date with respect to the SEC, the Parties enter into this stipulation.

STIPULATION

1. Pursuant to the First Extension Stipulation, this Stipulation is effective as of the date when signed by the Parties below.

2. The Governmental Bar Date shall be further extended solely for the SEC through and including **January 5, 2024 at 12:00 p.m. (prevailing Eastern Time)**, solely to allow the SEC to file proofs of claim with respect to its alleged Prepetition Claims.

3. None of this Stipulation, any of the provisions hereof, nor any act performed or document executed pursuant to or in furtherance of this Stipulation, is or may be deemed to be or may be used as an admission of, or evidence of, the validity or invalidity of any aspect, including priority, of SEC's Prepetition Claim against the Debtors or of any other claim or right of any kind, or of any wrongdoing or liability of any of the Parties in the Chapter 11 Cases, or any other matter pending before the Court. Any and all rights of the Parties in connection therewith are preserved.

4. This Stipulation is without prejudice to the Parties to seek to further extend the Governmental Bar Date as to the SEC by the subsequent execution of another stipulation by the Parties, which will be effective when signed by all parties without further order of the Court.

5. This Stipulation contains the entire agreement among the Parties as to the subject matter hereof and supersedes all prior agreements and undertakings among the Parties relating thereto.

6. This Stipulation may not be modified other than by a signed writing executed by each of the Parties and delivered to each Party; it being understood that no further approval of the Court shall be required for amendments, waivers, consents, or other modifications to and under the Stipulation.

7. This Stipulation may be executed in multiple counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument, and it shall constitute sufficient proof of this Stipulation to present any copy, copies, or facsimiles signed by the Parties.

8. This Stipulation shall inure to the benefit of, and shall be binding upon, the Parties and their respective successors, assigns, heirs, executors, administrators and liquidators.

9. The Court shall have exclusive jurisdiction over any and all disputes arising out of or otherwise relating to this Stipulation or its enforcement.

Dated: December 28, 2023

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